

Senate Study Bill 1159

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL
BY CHAIRPERSON DEARDEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating various hunting, fishing, and trapping
2 activities under the jurisdiction of the department of natural
3 resources, modifying fees, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2114SC 83
6 av/sc/8

PAG LIN

1 1 Section 1. Section 481C.2A, subsection 1, paragraph d,
1 2 Code 2009, is amended to read as follows:
1 3 d. A producer who enters into a depredation agreement with
1 4 the department of natural resources shall be issued a set of
1 5 authorization numbers. Each authorization number authorizes a
1 6 resident hunter to obtain a depredation license that is valid
1 7 only for taking antlerless deer on the land designated in the
1 8 producer's depredation plan. A producer may transfer an
1 9 authorization number issued to that producer to a resident
1 10 hunter who has permission to hunt on the land for which the
1 11 authorization number is valid. An authorization number shall
1 12 be valid to obtain a depredation license in any season. The
1 13 provisions of this paragraph shall be implemented by August
1 14 15, 2008. A transferee who receives an authorization number
1 15 pursuant to this paragraph "d" shall be otherwise qualified to
1 16 hunt deer in this state, have a hunting license, pay the
1 17 wildlife habitat fee, and pay ~~the one dollar~~ a fee of one
1 18 dollar and fifty cents for the purpose of the deer herd
1 19 population management program.

1 20 Sec. 2. Section 482.2, paragraphs 15 and 16, Code 2009,
1 21 are amended to read as follows:

1 22 15. "Nonresident ~~or alien~~" means a person who does not
1 23 qualify as a resident of the state of Iowa either because of a
1 24 ~~bona fide residence in another state or because of citizenship~~
1 25 ~~of a country other than the United States. However, "alien"~~
1 26 ~~does not include a person who has applied for naturalization~~
1 27 ~~papers.~~

1 28 16. "Resident" means a person who is legally subject to
1 29 ~~motor vehicle registration and driver's license laws of this~~
1 30 ~~state, or who is qualified to vote in an election of this~~
1 31 ~~state as defined in section 483A.1A.~~

1 32 Sec. 3. Section 483A.1, Code 2009, is amended to read as
1 33 follows:

1 34 483A.1 LICENSES == FEES.

1 35 1. Except as otherwise provided in this chapter, a ~~person~~
2 1 resident shall not fish, trap, hunt, pursue, catch, kill, take
2 2 in any manner, use, have possession of, sell, or transport all
2 3 or a part of any wild animal, bird, game, or fish, the
2 4 protection and regulation of which is desirable for the
2 5 conservation of resources of the state, without first
2 6 obtaining a license for that purpose and the payment of a fee
2 7 as follows:

2 8 ~~i. Residents:~~

2 9 a. Fishing license \$ 17.00
2 10 23.50

2 11 b. Fishing license, lifetime, sixty=five
2 12 years or older \$ 50.50

2 13 c. Hunting license \$ 17.00
2 14 23.50

2 15 d. Hunting license, lifetime, sixty=five
2 16 years or older \$ 50.50

2 17 e. Deer hunting license, antlered or any

2	18	sex deer	\$	25.50
2	19			<u>35.50</u>
2	20	f. Deer hunting license, antlerless deer only	\$	15.00
2	21	f. g. Wild turkey hunting license	\$	22.50
2	22			<u>27.50</u>
2	23	g. h. Fur harvester license, sixteen years		
2	24	or older	\$	20.50
2	25			<u>36.00</u>
2	26	h. i. Fur harvester license, under sixteen		
2	27	years of age	\$	5.50
2	28	i. j. Fur dealer license	\$	225.50
2	29	j. k. Aquaculture unit license	\$	25.50
2	30	k. l. Retail bait dealer license	\$	30.50
2	31	l. m. Fishing license, seven=day	\$	11.50
2	32			<u>15.00</u>
2	33	m. n. Trout fishing fee	\$	10.50
2	34			<u>13.00</u>
2	35	n. o. Game breeder license	\$	15.50
3	1	o. p. Taxidermy license	\$	15.50
3	2	p. q. Falconry license	\$	20.50
3	3	q. r. Wildlife habitat fee	\$	11.00
3	4			<u>13.50</u>
3	5	r. s. Migratory game bird fee	\$	8.00
3	6			<u>11.50</u>
3	7	s. t. Fishing license, one=day	\$	7.50
3	8			<u>8.00</u>
3	9	t. u. Wholesale bait dealer license	\$	125.00
3	10	2. Nonresidents: Except as otherwise provided in this		
3	11	chapter, a nonresident shall not fish, trap, hunt, pursue,		
3	12	catch, kill, take in any manner, use, have possession of,		
3	13	sell, or transport all or a part of any wild animal, bird,		
3	14	game, or fish, the protection and regulation of which is		
3	15	desirable for the conservation of resources of the state,		
3	16	without first obtaining a license for that purpose and the		
3	17	payment of a fee as follows:		
3	18	a. Fishing license, annual	\$	39.00
3	19			<u>49.50</u>
3	20	b. Fishing license, seven=day	\$	30.00
3	21			<u>35.50</u>
3	22	c. Hunting license, eighteen years of		
3	23	age or older	\$	80.00
3	24			<u>110.00</u>
3	25	d. Hunting license, under eighteen		
3	26	years of age	\$	30.00
3	27	e. Deer hunting license, antlered or		
3	28	any sex deer	\$	220.00
3	29			<u>295.00</u>
3	30	f. Preference point issued under section		
3	31	483A.7, subsection 3, paragraph "b", or section		
3	32	483A.8, subsection 3, paragraph "e"	\$	50.00
3	33	f. g. Deer hunting license, antlerless		
3	34	deer only, required with the purchase		
3	35	of an antlered or any sex deer hunting		
4	1	license	\$	100.00
4	2			<u>125.00</u>
4	3	g. h. Deer hunting license, antlerless		
4	4	deer only	\$	150.00
4	5			<u>200.00</u>
4	6	i. Holiday deer hunting license issued		
4	7	under section 483A.8, subsection 6, antlerless		
4	8	deer only	\$	75.00
4	9	h. j. Wild turkey hunting license	\$	100.00
4	10			<u>125.00</u>
4	11	i. k. Fur harvester license	\$	200.00
4	12			<u>275.00</u>
4	13	j. l. Fur dealer license	\$	501.00
4	14	k. m. Location permit for fur dealers	\$	56.00
4	15	l. n. Aquaculture unit license	\$	56.00
4	16	m. o. Retail bait dealer license	\$	125.00
4	17	or the amount for the same type of		
4	18	license in the nonresident's state,		
4	19	whichever is greater		
4	20	n. p. Trout fishing fee	\$	13.00
4	21			<u>17.50</u>
4	22	o. q. Game breeder license	\$	26.00
4	23	p. r. Taxidermy license	\$	26.00
4	24	q. s. Falconry license	\$	26.00
4	25	r. t. Wildlife habitat fee	\$	11.00
4	26			<u>13.50</u>
4	27	s. u. Migratory game bird fee	\$	8.00
4	28			<u>11.50</u>

4 29	t. v. Fishing license, three=day	\$ 15.50
4 30		21.00
4 31	u. w. Wholesale bait dealer license	\$ 250.00
4 32	or the amount for the same type of	
4 33	license in the nonresident's state,	
4 34	whichever is greater	
4 35	v. x. Fishing license, one=day	\$ 8.50
5 1		10.00

5 2 3. On or after January 10, 2013, and on or after January
5 3 10 of each year thereafter, the fees in this section may be
5 4 adjusted, pursuant to rules adopted under chapter 17A, in an
5 5 amount less than or equal to the percentage of increase in the
5 6 consumer price index for the midwest urban region, published
5 7 in the federal register by the federal department of labor,
5 8 bureau of labor statistics, for the twelve-month period ending
5 9 June 30 of the year prior to the year that the increase will
5 10 be effective.

5 11 4. The commission is authorized, pursuant to rules adopted
5 12 under chapter 17A, to develop combination packages of licenses
5 13 in order to offer incentives to residents to purchase
5 14 additional licenses or for the specific purpose of increasing
5 15 sales of licenses that will help to recruit or retain hunters,
5 16 anglers, and trappers in the state. The total cost of each
5 17 combination package of licenses offered shall be less than the
5 18 total cost of the licenses if each was purchased separately.

5 19 Sec. 4. Section 483A.1A, Code 2009, is amended by adding
5 20 the following new subsections:

5 21 NEW SUBSECTION. 6A. "Nonresident" means a person who is
5 22 not a resident as defined in subsection 7.

5 23 NEW SUBSECTION. 6B. "Principal and primary residence or
5 24 domicile" means the one and only place where a person has a
5 25 true, fixed, and permanent home, and to where, whenever the
5 26 person is briefly and temporarily absent, the person intends
5 27 to return. Relevant factors in determining a person's
5 28 principal and primary residence or domicile include but are
5 29 not limited to proof of place of employment, mailing address,
5 30 utility records, land ownership records, vehicle registration,
5 31 and address listed on the person's state and federal income
5 32 tax returns. A person shall submit documentation to establish
5 33 the person's principal and primary residence or domicile to
5 34 the department or its designee upon request. The department
5 35 or its designee shall keep confidential any document received
6 1 pursuant to such a request if the document is required to be
6 2 kept confidential by state or federal law.

6 3 Sec. 5. Section 483A.1A, subsection 7, Code 2009, is
6 4 amended to read as follows:

6 5 7. "Resident" means a natural person who meets any of the
6 6 following criteria during each year in which the person claims
6 7 status as a resident:

6 8 a. Has physically resided in this state at least thirty as
6 9 the person's principal and primary residence or domicile for a
6 10 period of not less than one hundred eighty consecutive days
6 11 immediately before applying for or purchasing a resident
6 12 license, tag, or permit under this chapter and has been issued
6 13 an Iowa driver's license or an Iowa nonoperator's
6 14 identification card. A person is not considered a resident
6 15 under this paragraph if the person is residing in the state
6 16 only for a special or temporary purpose including but not
6 17 limited to engaging in hunting, fishing, or trapping.

6 18 b. Is a full-time student at either of the following:
6 19 (1) an An accredited educational institution located in
6 20 this state and resides in this state while attending the
6 21 educational institution.

6 22 (2) An accredited educational institution located outside
6 23 of this state, if the person is under the age of twenty-five
6 24 and has at least one parent or legal guardian who maintains a
6 25 principal and primary residence or domicile in this state.

6 26 c. Is a student who qualifies as a resident pursuant to
6 27 this paragraph "b" only for the purpose of purchasing any
6 28 resident license specified in section 483A.1 or 484A.2.

6 29 ~~e. d.~~ Is a nonresident under eighteen years of age whose
6 30 parent is a resident of this state.

6 31 ~~d. e.~~ Is a member of the armed forces of the United States
6 32 who is serving on active duty, claims residency in this state,
6 33 and has filed a state individual income tax return as a
6 34 resident pursuant to chapter 422, division II, for the
6 35 preceding tax year, or is stationed in this state.

7 1 ~~e. Is registered to vote in this state.~~

7 2 Sec. 6. Section 483A.2, Code 2009, is amended to read as
7 3 follows:

7 4 483A.2 DUAL RESIDENCY.

7 5 A resident license shall be limited to persons who do not
7 6 claim any resident privileges, except as defined in section
7 7 483A.1A, subsection 7, paragraphs "b", "c", ~~and "d", and "e",~~
7 8 in another state or country. A person shall not purchase or
7 9 apply for any resident license or permit if that person has
7 10 claimed residency in any other state or country.

7 11 Sec. 7. Section 483A.3, subsection 1, Code 2009, is
7 12 amended to read as follows:

7 13 1. A resident or nonresident person required to have a
7 14 hunting or fur harvester license shall not hunt or trap unless
7 15 the person has paid the wildlife habitat fee. This section
7 16 shall not apply to residents who have permanent disabilities
7 17 or who are younger than sixteen or older than sixty-five years
7 18 of age. Wildlife habitat fees shall be administered in the
7 19 same manner as hunting and fur harvester licenses except all
7 20 revenue derived from wildlife habitat fees shall be used
7 21 within the state of Iowa for habitat development and shall be
7 22 deposited in the state fish and game protection fund, except
7 23 as provided in subsection 2. The revenue may be used for the
7 24 matching of federal funds. The revenues and any matched
7 25 federal funds shall be used for acquisition of land, leasing
7 26 of land to provide hunting or trapping access, or obtaining of
7 27 easements from willing sellers for use as wildlife habitats.
7 28 Notwithstanding the exemption provided by section 427.1, any
7 29 land acquired with the revenues and matched federal funds
7 30 shall be subject to the full consolidated levy of property
7 31 taxes which shall be paid from those revenues. In addition
7 32 the revenue may be used for the development and enhancement of
7 33 wildlife lands and habitat areas. Not less than fifty percent
7 34 of all revenue from wildlife habitat fees shall be used by the
7 35 commission to enter into agreements with county conservation
8 1 boards or other public agencies in order to carry out the
8 2 purposes of this section. The state share of funding of those
8 3 agreements provided by the revenue from wildlife habitat fees
8 4 shall not exceed seventy-five percent.

8 5 Sec. 8. Section 483A.3, Code 2009, is amended by adding
8 6 the following new subsection:

8 7 NEW SUBSECTION. 4. Any increase in revenues received on
8 8 or after July 1, 2009, pursuant to this section as a result of
8 9 increases in the wildlife habitat fee enacted in the section
8 10 of this Act amending section 483A.1 shall be used by the
8 11 commission only for the purposes set forth in subsections 1
8 12 and 2 of this section.

8 13 Sec. 9. Section 483A.7, subsection 3, Code 2009, is
8 14 amended to read as follows:

8 15 3. a. A nonresident wild turkey hunter is required to
8 16 have a nonresident hunting license and a nonresident wild
8 17 turkey hunting license and pay the wildlife habitat fee. The
8 18 commission shall annually ~~limit to two thousand three hundred~~
8 19 ~~licenses determine~~ the number of nonresidents allowed to have
8 20 wild turkey hunting licenses. Of the ~~two thousand three~~
8 21 ~~hundred predetermined number of licenses, one hundred fifty~~
8 22 ~~licenses issued, six percent~~ shall be valid for hunting with
8 23 muzzle loading shotguns only. The commission shall allocate
8 24 the nonresident wild turkey hunting licenses issued among the
8 25 zones based on the populations of wild turkey. A nonresident
8 26 applying for a wild turkey hunting license must exhibit proof
8 27 of having successfully completed a hunter safety and ethics
8 28 education program as provided in section 483A.27 or its
8 29 equivalent as determined by the department before the license
8 30 is issued.

8 31 b. The commission shall assign one preference point to a
8 32 nonresident whose application for a nonresident wild turkey
8 33 hunting license is denied due to limitations on the number of
8 34 nonresident wild turkey hunting licenses available for
8 35 issuance that year. An additional preference point shall be
9 1 assigned to that person each subsequent year the person's
9 2 license application is denied for that reason. A nonresident
9 3 may purchase additional preference points pursuant to section
9 4 481A.1, subsection 2, paragraph "f". The first nonresident
9 5 wild turkey hunting license drawing each year shall be made
9 6 from the pool of applicants with the most preference points
9 7 and continue to pools of applicants with successively fewer
9 8 preference points until all available nonresident wild turkey
9 9 hunting licenses have been issued. If a nonresident applicant
9 10 receives a wild turkey hunting license, all of the applicant's
9 11 assigned preference points at that time shall be removed.

9 12 Sec. 10. Section 483A.8, subsections 1, 3, 4, 5, and 6,
9 13 Code 2009, are amended to read as follows:

9 14 1. A resident hunting deer who is required to have a
9 15 hunting license must have a resident hunting license in

9 16 addition to the deer hunting license and must pay the wildlife
9 17 habitat fee. In addition, a resident who purchases a deer
9 18 hunting license shall pay a ~~one dollar~~ fee of one dollar and
9 19 fifty cents that shall be used and is appropriated for the
9 20 purpose of deer herd population management, including
9 21 assisting with the cost of processing deer donated to the help
9 22 us stop hunger program administered by the commission.
9 23 3. a. A nonresident hunting deer is required to have a
9 24 nonresident hunting license and a nonresident deer hunting
9 25 license and must pay the wildlife habitat fee. In addition, a
9 26 nonresident who purchases a deer hunting license shall pay a
9 27 ~~one dollar~~ fee of one dollar and fifty cents that shall be
9 28 used and is appropriated for the purpose of deer herd
9 29 population management, including assisting with the cost of
9 30 processing deer donated to the help us stop hunger program
9 31 administered by the commission.
9 32 b. A nonresident who purchases an antlered or any sex deer
9 33 hunting license pursuant to section 483A.1, subsection 2,
9 34 paragraph "e", is required to purchase an antlerless deer only
9 35 deer hunting license at the same time, pursuant to section
10 1 483A.1, subsection 2, paragraph "~~f~~" "g".
10 2 c. The commission shall annually ~~limit to six thousand~~
10 3 determine the number of ~~nonresidents allowed to have~~
10 4 nonresident antlered or any sex deer hunting licenses that
10 5 will be available for issuance. Of the ~~six thousand~~
10 6 nonresident antlered or any sex deer hunting licenses issued,
10 7 not more than thirty-five percent of the licenses shall be bow
10 8 season licenses. After the ~~six thousand predetermined number~~
10 9 of antlered or any sex nonresident deer hunting licenses have
10 10 been issued, all additional licenses shall be issued for
10 11 antlerless deer only. The commission shall annually determine
10 12 the number of nonresident antlerless deer only deer hunting
10 13 licenses that will be available for issuance.
10 14 d. The commission shall allocate all resident and
10 15 nonresident deer hunting licenses issued among the zones ~~based~~
10 16 ~~on the populations of deer using a county-by-county system~~.
10 17 However, a nonresident applicant may request one or more
10 18 hunting zones, in order of preference, in which the applicant
10 19 wishes to hunt. If the request cannot be fulfilled, the
10 20 applicable fees shall be returned to the applicant. A
10 21 nonresident applying for a deer hunting license must exhibit
10 22 proof of having successfully completed a hunter safety and
10 23 ethics education program as provided in section 483A.27 or its
10 24 equivalent as determined by the department before the license
10 25 is issued.
10 26 e. The commission shall assign one preference point to a
10 27 nonresident whose application for a nonresident antlered or
10 28 any sex deer hunting license is denied due to limitations on
10 29 the number of nonresident antlered or any sex deer hunting
10 30 licenses available for issuance that year. An additional
10 31 preference point shall be assigned to that person each
10 32 subsequent year the person's license application is denied for
10 33 that reason. A nonresident may purchase additional preference
10 34 points pursuant to section 483A.1, subsection 2, paragraph
10 35 "f". The first nonresident antlered or any sex deer hunting
11 1 license drawing each year shall be made from the pool of
11 2 applicants with the most preference points and continue to
11 3 pool of applicants with successively fewer preference points
11 4 until all available nonresident antlered or any sex deer
11 5 hunting licenses have been issued. If a nonresident applicant
11 6 receives an antlered or any sex deer hunting license, all of
11 7 the applicant's assigned preference points at that time shall
11 8 be removed.
11 9 4. The commission may provide, by rule, for the issuance
11 10 of an additional antlerless deer hunting license to a person
11 11 who has been issued an antlerless deer hunting license. The
11 12 rules shall specify the number of additional antlerless deer
11 13 hunting licenses which may be issued, and the season and zone
11 14 in which the license is valid. The fee for an additional
11 15 antlerless deer hunting license shall be ~~ten~~ fifteen dollars
11 16 for residents.
11 17 5. A nonresident owning land in this state may apply for a
11 18 nonresident antlered or any sex deer hunting license, and the
11 19 provisions of subsection 3 shall apply. However, if a
11 20 nonresident owning land in this state is unsuccessful in
11 21 obtaining one of the nonresident antlered or any sex deer
11 22 hunting licenses, the landowner shall be given preference for
11 23 one of the antlerless deer only nonresident deer hunting
11 24 licenses available pursuant to subsection 3. A nonresident
11 25 owning land in this state shall pay the fee for a nonresident
11 26 antlerless only deer hunting license and the license shall be

11 27 valid to hunt on the nonresident's land only. If one or more
11 28 parcels of land have multiple nonresident owners, only one of
11 29 the nonresident owners is eligible for a nonresident
11 30 antlerless only deer hunting license. If a nonresident
11 31 jointly owns land in this state with a resident, the
11 32 nonresident shall not be given preference for a nonresident
11 33 antlerless only deer hunting license. The department may
11 34 require proof of land ownership from a nonresident landowner
11 35 applying for a nonresident antlerless only deer hunting

12 1 license.
12 2 6. The commission shall provide by rule for the annual
12 3 issuance to a nonresident of a nonresident antlerless deer
12 4 hunting license that is valid for use only during the period
12 5 beginning on December 24 and ending at sunset on January 2 of
12 6 the following year, and costs ~~fifty seventy-five~~ dollars. A
12 7 nonresident hunting deer with a license issued under this
12 8 subsection shall be otherwise qualified to hunt deer in this
12 9 state and shall have a nonresident hunting license, pay the
12 10 wildlife habitat fee, and pay ~~the one dollar~~ a fee of one
12 11 dollar and fifty cents for the purpose of deer herd population

12 12 management as provided in subsection 3. Pursuant to this
12 13 subsection, the commission shall make available for issuance
12 14 only the remaining nonresident antlerless deer hunting
12 15 licenses allocated under subsection 3 that have not yet been
12 16 issued for the current year's nonresident antlerless deer
12 17 hunting seasons.

12 18 Sec. 11. Section 483A.8A, Code 2009, is amended to read as
12 19 follows:

12 20 483A.8A DEER AND WILD TURKEY HARVEST REPORTING SYSTEM.

12 21 1. The commission shall provide, by rule, for the
12 22 establishment of a deer and wild turkey harvest reporting
12 23 system for the purpose of collecting information from ~~deer~~
12 24 hunters concerning the deer and wild turkey population in this
12 25 state. Each person who is issued a deer or wild turkey
12 26 hunting license in this state shall report such information
12 27 pursuant to this section. Information collected by the
12 28 commission pursuant to the deer and wild turkey harvest
12 29 reporting system from a ~~deer~~ hunter who takes a deer or wild
12 30 turkey shall be limited to the following:

- 12 31 a. The county where the deer or wild turkey was taken.
- 12 32 b. The season during which the deer or wild turkey was
12 33 taken.
- 12 34 c. The sex of the deer or wild turkey taken.
- 12 35 d. The age of the deer or wild turkey taken.
- 13 1 e. The type of weapon used.
- 13 2 f. The hunting license number of the hunter.
- 13 3 g. The number of days the hunter hunted.
- 13 4 h. The total number of deer or wild turkey taken by the
13 5 hunter.

13 6 2. The deer and wild turkey harvest reporting system
13 7 established by the commission shall utilize and is limited to
13 8 utilizing one or more of the following methods of reporting
13 9 deer or wild turkey taken by hunters:

- 13 10 a. A toll-free telephone number.
- 13 11 b. A postcard.
- 13 12 c. Reporting at an electronic licensing location.
- 13 13 d. Electronic internet communication.

13 14 Sec. 12. Section 483A.10, Code 2009, is amended to read as
13 15 follows:

13 16 483A.10 ISSUANCE OF LICENSES.

13 17 1. The licenses and combination packages of licenses
13 18 issued pursuant to this chapter shall be issued by the
13 19 department or the license agents as specified by rules of the
13 20 commission. A county recorder may issue licenses or
13 21 combination packages of licenses subject to the rules of the
13 22 commission.

13 23 2. The rules shall include the application procedures as
13 24 necessary. The licenses and combination packages of licenses
13 25 shall show the total cost of the license or combination
13 26 package of licenses, including a writing fee to be retained by
13 27 the license agent and any administrative fees to be forwarded
13 28 to the department, if applicable. A person authorized to
13 29 issue a license or combination package of licenses or collect
13 30 a fee pursuant to this chapter or chapter 484A shall charge
13 31 the fee specified in this chapter or chapter 484A only plus a
13 32 writing fee and administrative fee, if applicable.

13 33 Sec. 13. Section 483A.12, Code 2009, is amended to read as
13 34 follows:

13 35 483A.12 FEES.

14 1 1. The license agent shall be responsible for all fees for
14 2 the issuance of hunting, fishing, ~~and~~ fur harvester licenses.

14 3 ~~and combination packages of licenses~~ sold by the license
14 4 agent. All unused license blanks shall be surrendered to the
14 5 department upon the department's demand.
14 6 2. A license agent shall retain a writing fee of ~~fifty~~
14 7 ~~seventy=five~~ cents from the sale of each license ~~or~~
14 8 ~~combination package of licenses~~ except that the writing fee
14 9 for a free deer or wild turkey license as authorized under
14 10 section 483A.24, subsection 2, shall be one dollar ~~and~~
14 11 ~~twenty=five cents~~. If a county recorder is a license agent,
14 12 the writing fees retained by the county recorder shall be
14 13 deposited in the general fund of the county.

14 14 Sec. 14. Section 483A.14, Code 2009, is amended to read as
14 15 follows:

14 16 483A.14 DUPLICATE LICENSES AND PERMITS.

14 17 1. When any license for which a fee has been set has been
14 18 lost, destroyed, or stolen, the director or a license agent
14 19 may issue a replacement license, if evidence is available to
14 20 demonstrate issuance of the original license and a fee of two
14 21 dollars ~~and twenty=five cents~~ is paid, to be placed in the
14 22 fish and game protection fund. If, on examination of the
14 23 evidence, the director or the license agent, as the case may
14 24 be, is satisfied that the license has been lost, destroyed, or
14 25 stolen, the director or the license agent shall issue a
14 26 duplicate license which shall be plainly marked "duplicate"
14 27 and the duplicate shall serve in lieu of the original license
14 28 and it shall contain the same information and signature as the
14 29 original.

14 30 2. The license agent shall charge a writing fee of one
14 31 dollar ~~and twenty=five cents~~ and the departmental
14 32 administrative fee for each duplicate license issued pursuant
14 33 to this section. The license agent shall retain the writing
14 34 fee.

14 35 Sec. 15. Section 483A.24, subsection 2, paragraphs c and
15 1 d, Code 2009, are amended to read as follows:

15 2 c. Upon written application on forms furnished by the
15 3 department, the department shall issue annually without fee
15 4 two deer hunting licenses, one antlered or any sex deer
15 5 hunting license and one antlerless deer only deer hunting
15 6 license, to the owner of a farm unit or a member of the
15 7 owner's family, but only a total of two licenses for both, and
15 8 to the tenant of a farm unit or a member of the tenant's
15 9 family, but only a total of two licenses for both. The deer
15 10 hunting licenses issued shall be valid only for use on the
15 11 farm unit for which the applicant applies pursuant to this
15 12 paragraph. The owner or the tenant need not reside on the
15 13 farm unit to qualify for the free deer hunting licenses to
15 14 hunt on that farm unit. The free deer hunting licenses issued
15 15 pursuant to this paragraph shall be valid and may be used
15 16 during any shotgun deer season. The licenses may be used to
15 17 harvest deer in two different seasons. In addition, a person
15 18 who receives a free deer hunting license pursuant to this
15 19 paragraph shall pay a ~~one dollar~~ fee of one dollar and fifty
15 20 cents for each license that shall be used and is appropriated
15 21 for the purpose of deer herd population management, including
15 22 assisting with the cost of processing deer donated to the help
15 23 us stop hunger program administered by the commission.

15 24 d. In addition to the free deer hunting licenses received
15 25 pursuant to paragraph "c", an owner of a farm unit or a member
15 26 of the owner's family and the tenant or a member of the
15 27 tenant's family may purchase a deer hunting license for any
15 28 option offered to paying deer hunting licensees. An owner of
15 29 a farm unit or a member of the owner's family and the tenant
15 30 or a member of the tenant's family may also purchase two
15 31 additional antlerless deer hunting licenses which are valid
15 32 only on the farm unit for a fee of ~~ten~~ fifteen dollars each.

15 33 Sec. 16. Section 483A.24, subsections 3 and 4, Code 2009,
15 34 are amended to read as follows:

15 35 3. The director shall provide up to seventy=five
16 1 nonresident deer hunting licenses for allocation as requested
16 2 by a majority of a committee consisting of the majority leader
16 3 of the senate, speaker of the house of representatives, and
16 4 director of the department of economic development, or their
16 5 designees. The licenses provided pursuant to this subsection
16 6 shall be in addition to the number of nonresident licenses
16 7 ~~authorized~~ determined pursuant to section 483A.8. The purpose
16 8 of the special nonresident licenses is to allow state
16 9 officials and local development groups to promote the state
16 10 and its natural resources to nonresident guests and
16 11 dignitaries. Photographs, videotapes, or any other form of
16 12 media resulting from the hunting visitation shall not be used
16 13 for political campaign purposes. The nonresident licenses

16 14 shall be issued without application upon payment of the
16 15 nonresident deer hunting license fee and the wildlife habitat
16 16 fee. The licenses are valid in all zones open to deer
16 17 hunting. The hunter safety and ethics education certificate
16 18 requirement pursuant to section 483A.27 is waived for a
16 19 nonresident issued a license pursuant to this subsection.

16 20 4. The director shall provide up to twenty-five
16 21 nonresident wild turkey hunting licenses for allocation as
16 22 requested by a majority of a committee consisting of the
16 23 majority leader of the senate, speaker of the house of
16 24 representatives, and director of the department of economic
16 25 development, or their designees. The licenses provided
16 26 pursuant to this subsection shall be in addition to the number
16 27 of nonresident licenses ~~authorized~~ determined pursuant to
16 28 section 483A.7. The purpose of the special nonresident
16 29 licenses is to allow state officials and local development
16 30 groups to promote the state and its natural resources to
16 31 nonresident guests and dignitaries. Photographs, videotapes,
16 32 or any other form of media resulting from the hunting
16 33 visitation shall not be used for political campaign purposes.
16 34 The nonresident licenses shall be issued without application
16 35 upon payment of the nonresident wild turkey hunting license
17 1 fee and the wildlife habitat fee. The licenses are valid in
17 2 all zones open to wild turkey hunting. The hunter safety and
17 3 ethics education certificate requirement pursuant to section
17 4 483A.27 is waived for a nonresident issued a license pursuant
17 5 to this subsection.

17 6 Sec. 17. Section 483A.24, subsection 10, paragraph b, Code
17 7 2009, is amended to read as follows:

17 8 b. The licenses provided pursuant to this subsection shall
17 9 be in addition to the number of nonresident turkey hunting
17 10 licenses ~~authorized~~ determined pursuant to section 483A.7 and
17 11 nonresident deer hunting licenses ~~authorized~~ determined
17 12 pursuant to section 483A.8.

17 13 Sec. 18. Section 805.8B, subsection 3, paragraph c, Code
17 14 2009, is amended to read as follows:

17 15 c. For violations of sections 481A.6, 481A.21, 481A.22,
17 16 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,
17 17 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections
17 18 482.7, 483A.7, 483A.8, ~~483A.8A~~, 483A.23, and 483A.24, the
17 19 scheduled fine is twenty-five dollars.

17 20 EXPLANATION

17 21 This bill regulates various hunting, fishing, and trapping
17 22 activities under the jurisdiction of the department of natural
17 23 resources, modifies fees, and makes penalties applicable.

17 24 WILDLIFE CONSERVATION. Code section 481C.2A is amended to
17 25 provide that a person who hunts antlerless deer pursuant to a
17 26 depredation agreement must pay an increased fee of \$1.50 for
17 27 the purpose of the deer herd population management program.

17 28 FISHING AND HUNTING LICENSES. Code section 483A.1 is
17 29 amended to increase fees for certain resident and nonresident
17 30 hunting and fishing licenses. New licenses are added for
17 31 resident antlerless only deer hunting and for nonresident
17 32 holiday antlerless only deer hunting. Nonresidents are also
17 33 permitted to purchase preference points issued under Code
17 34 section 483A.7(3)(b) to purchase wild turkey hunting licenses,
17 35 and under Code section 483A.8(3)(e) to purchase antlered or
18 1 any sex deer hunting licenses. The wildlife habitat fee is
18 2 increased from \$11 to \$13.50.

18 3 Code section 483A.1 is also amended to provide that on or
18 4 after January 10, 2013, and on or after each January 10
18 5 thereafter, the license fees may be adjusted, by rule, in an
18 6 amount equal to or less than the percentage of increase in the
18 7 consumer price index for the midwest urban region, published
18 8 in the federal register by the federal department of labor,
18 9 bureau of labor statistics, for the 12-month period ending
18 10 June 30 of the year prior to the year that the increase will
18 11 be effective.

18 12 The natural resource commission is also authorized to adopt
18 13 rules to develop combination packages of licenses for the
18 14 purpose of encouraging residents to purchase additional
18 15 licenses, to increase sales of licenses, and to retain
18 16 hunters, anglers, and trappers in the state. The combination
18 17 packages must cost less than the total cost of purchasing the
18 18 licenses separately.

18 19 Code section 483A.1A is amended to add definitions for
18 20 "nonresident" and "principal and primary residence or
18 21 domicile". The definition of "resident" is modified to
18 22 include a determination of whether a person's principal and
18 23 primary residence or domicile is in the state and to allow a
18 24 full-time student at an institution outside the state to be

18 25 considered a resident if at least one parent or guardian has a
18 26 principal and primary residence or domicile in the state.
18 27 Code section 483A.2 is amended to make a coordinating change.
18 28 Code section 483A.3 is amended to allow revenue raised from
18 29 the wildlife habitat fee and any matched federal funds to be
18 30 used to lease land to provide hunting and trapping access.
18 31 Code section 483A.3 is also amended to provide that any
18 32 increase in revenues received on or after July 1, 2009, as a
18 33 result of increases in the wildlife habitat fee enacted in the
18 34 bill shall be used by the commission only for the purposes of
18 35 acquisition of land, leasing of land for hunting and trapping
19 1 access, obtaining easements for use as wildlife habitats, and
19 2 credits to the wildlife habitat bond fund.
19 3 Code section 483A.7 is amended to allow the natural
19 4 resource commission to annually determine how many nonresident
19 5 wild turkey hunting licenses will be issued instead of the
19 6 current limit of 2,300 licenses and to require the commission
19 7 to assign a preference point to a nonresident for each year
19 8 that the nonresident's application for a wild turkey hunting
19 9 license is denied due to limitations on the number of licenses
19 10 available. Drawings for licenses are made from pools of
19 11 applicants based on who has the most preference points. A
19 12 nonresident may purchase additional preference points for \$50
19 13 each.
19 14 Code section 483A.8 is amended to increase the deer herd
19 15 population management fee paid by purchasers of deer hunting
19 16 licenses from \$1 to \$1.50. The section is also amended to
19 17 allow the natural resource commission to annually determine
19 18 how many nonresident antlered or any sex deer hunting licenses
19 19 will be issued instead of the current limit of 6,000 licenses
19 20 and to allocate resident and nonresident deer hunting licenses
19 21 among the zones using a county-by-county system.
19 22 Code section 483A.8 is also amended to require the
19 23 commission to assign a preference point to a nonresident for
19 24 each year that the nonresident's application for an antlered
19 25 or any sex deer hunting license is denied due to limitations
19 26 on the number of licenses available. Drawings for licenses
19 27 are to be made from pools of applicants based on who has the
19 28 most preference points. A nonresident may purchase additional
19 29 preference points for \$50 each.
19 30 Code section 483A.8 is also amended to increase the fee for
19 31 additional antlerless deer hunting licenses issued to
19 32 residents from \$10 to \$15 and to increase the fee for the
19 33 special nonresident holiday antlerless deer hunting license
19 34 from \$50 to \$75.
19 35 Code section 483A.8A is amended to expand the deer harvest
20 1 reporting system to include wild turkey harvest reporting.
20 2 Code section 805.8B(3)(c) is amended to provide that a
20 3 violation of the deer and turkey harvest reporting requirement
20 4 is punishable by a scheduled fine of \$25.
20 5 Code sections 483A.10 and 483A.12, relating to the issuance
20 6 of licenses and fees collected by license agents, are amended
20 7 to allow for the sale of combination packages of licenses, to
20 8 increase the writing fee from 50 to 75 cents, and to increase
20 9 the writing fee for free deer or wild turkey licenses from \$1
20 10 to \$1.25. Code section 483A.14 is amended to increase the fee
20 11 for issuance of duplicate licenses from \$2 to \$2.25 and the
20 12 writing fee from \$1 to \$1.25.
20 13 Code section 483A.24(2)(c) and (d) are amended to reflect
20 14 the increase in the deer herd population management fee from
20 15 \$1 to \$1.50 and the increase in the fee for additional
20 16 landowner antlerless deer only deer hunting licenses from \$10
20 17 to \$15.
20 18 Code section 483A.24(3), (4), and (10) are amended to
20 19 coordinate with the changes made in Code sections 483A.7 and
20 20 483A.8.
20 21 LSB 2114SC 83
20 22 av/sc/8